



Pre-Andt B
#6
PATENT
Attorney Docket No. MDS-030 *TL*

10-28-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Kaufman et al.
SERIAL NO.: 10/099,881 GROUP NO.: 3737
FILING DATE: March 15, 2002 EXAMINER: Not Yet Assigned
TITLE: IMAGE PROCESSING USING MEASURES OF SIMILARITY

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

RECEIVED

AUG 23 2002

SUPPLEMENTAL PRELIMINARY AMENDMENT

RECEIVED CENTER 20700

Sir:

Applicants filed the patent application referenced above on March 15, 2002. Applicants filed a Preliminary Amendment and Transmittal of Formal Drawings on July 3, 2002. Prior to examination of the above-identified application, Applicants respectfully request entry of this Supplemental Preliminary Amendment.

Applicants hereby amend the specification to properly claim the benefit of filing dates of earlier filed U.S. applications as provided in 35 U.S.C. §119(e) and 35 U.S.C. §120.

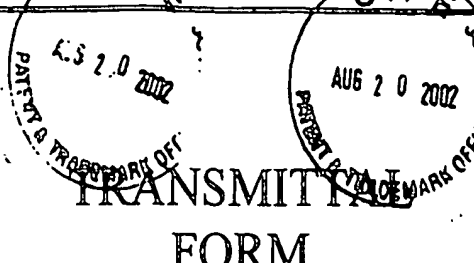
Applicants believe that no fee is due with the submission of this amendment. If this is incorrect, the Commissioner is hereby authorized to charge any required fee to Deposit Account No. 20-0531.

AMENDMENT

Please amend the application as follows. A marked-up copy of the replacement paragraph, as well as a clean copy of the replacement paragraph are attached.

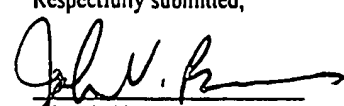
In the Specification:

BEST AVAILABLE COPY

<div style="text-align: center;">  <p>TRANSMITTAL FORM</p> </div>	Application Serial Number	10/099,881
	Filing Date	March 15, 2002
	First Named Inventor	Kaufman
	Group Art Unit	3737
	Examiner Name	Not Yet Assigned
	Attorney Docket No.	MDS-030
	Patent No.	Not applicable
	Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <div style="margin-left: 20px;"> <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form </div> <input checked="" type="checkbox"/> Amendment/Response <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Supplemental Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets 2] </div> <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <div style="margin-left: 20px;"> <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations </div> <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <div style="margin-left: 20px;"> <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above </div>	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <div style="margin-left: 20px;"> <input type="checkbox"/> Certificate of Correction (in duplicate) </div>	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Supplemental Application Data Sheet <div style="text-align: right; margin-top: 20px;"> <p>AGE 31 002</p> <p>TEL -</p> </div>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted, <div style="text-align: center;">  John V. Bianco Atty/Agent for Applicant(s) Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 </div> <div style="margin-top: 20px;"> Date: 8/12/02 Reg. No. 36,748 Tel. No.: (617) 248-7870 Fax No.: (617) 248-7100 </div>



COPY OF PAPERS
ORIGINALLY FILED


PATENT
Attorney Docket No. MDS-030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Kaufman et al.
SERIAL NO.: 10/099,881 GROUP NO.: 3737
FILING DATE: March 15, 2002 EXAMINER: Not Yet Assigned
TITLE: IMAGE PROCESSING USING MEASURES OF SIMILARITY

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, Washington, DC 20231 on this 12th day of August, 2002.


Thomas F. Hellenthal

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are:

1. Transmittal Form (1 page);
2. Supplemental Preliminary Amendment (4 pages);
3. Supplemental Application Data Sheet (2 pages); and
4. Return receipt postcard.

VER 9/00
2470742_1

REC'D

AUG 23 2002

TECHNICAL STAFF

BEST AVAILABLE COPY

At page 1, delete and replace paragraph [0001] as shown in the attached marked-up and clean copies.

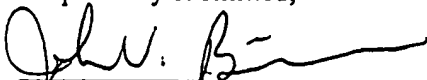
REMARKS

Applicants amend the paragraph under the heading, "Prior Applications", in the specification to additionally claim the benefit of copending U.S. Utility Patent Application Serial Number 10/068,133, filed on February 5, 2002. According to 37 C.F.R. §1.78(a)(2), the application claiming the benefit of a copending nonprovisional application must contain a reference to such prior application. This reference must be submitted during the pendency of the application, and within the latter of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. Since the filing date of the U.S. Patent Application Serial Number 10/068,133, to which priority is being claimed via this Amendment, is less than sixteen months from the filing date of this Amendment, Applicants therefore submit that this Amendment is timely filed. Applicants submit that the amendment requested herein adds no new matter and respectfully request entry of the amendment.

Date: August 12, 2002
Reg. No. 36,748

Tel. No.: (617) 248-7870
Fax No.: (617) 248-7100

Respectfully submitted,



John V. Bianco
Attorney for Applicant
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

2470745_1

BEST AVAILABLE COPY

CLEAN COPY OF REPLACEMENT PARAGRAPH

B1 [0001] The present application is a continuation-in-part of U.S. Patent Application Serial Number 10/068,133, filed February 5, 2002, which is a continuation of U.S. Patent Application Serial Number 09/738,614, filed December 15, 2000, which claims priority to and the benefit of U.S. Provisional Patent Application Serial Number 60/170,972, filed December 15, 1999; also, the present application claims the benefit of U.S. Provisional Patent Application Serial Number 60/353,978, filed January 31, 2002. All of the above applications are assigned to the common assignee of this application and are hereby incorporated by reference.

BEST AVAILABLE COPY

MARKED-UP COPY OF REPLACEMENT PARAGRAPH

[0001] The present application is a continuation-in-part of U.S. Patent Application Serial Number 10/068,133, filed February 5, 2002, which is a continuation of U.S. Patent Application Serial Number 09/738,614, filed December 15, 2000, which claims priority to and the benefit of U.S. Provisional Patent Application Serial Number 60/170,972, filed December 15, 1999; also, the present This application claims the benefit of U.S. Provisional Patent Application Serial Number 60/353,978, filed January 31, 2002;. All of the above applications are assigned to the common assignee of this application and ~~the contents of which~~ are hereby incorporated by reference.

BEST AVAILABLE COPY

UG 20 2002

SUPPLEMENTAL APPLICATION DATA SHEET

Inventor Information

Inventor One Given Name:: Howard
 Family Name:: Kaufman
 Name Suffix::
 Postal Address Line One:: 2 Newbury Terrace
 Postal Address Line Two::
 City:: Newton
 State or Province:: MA
 Country:: USA
 Postal or Zip Code:: 02459
 City of Residence:: Newton
 State or Prov. of Residence:: MA
 Country of Residence:: USA
 Citizenship Country:: USA

Inventor Two Given Name:: Philippe
 Family Name:: Schmid
 Name Suffix::
 Postal Address Line One:: Chemin du Levant 149
 Postal Address Line Two::
 City:: Lausanne
 State or Province::
 Country:: Switzerland
 Postal or Zip Code:: 1005
 City of Residence::
 State or Prov. of Residence::
 Country of Residence:: Switzerland
 Citizenship Country:: Switzerland

Correspondence Information

Correspondence Customer Number:: 021323
 Electronic Mail::

Application Information

Title Line One:: Image Processing Using Measures
 Title Line Two:: of Similarity
 Total Drawing Sheets:: 25
 Formal Drawings?:: Yes
 Application Type:: Utility
 Docket Number:: MDS-030
 Licensed US Govt. Agency:: U.S. Department of Health and Human Services
 Contract or Grant Numbers:: 1-R44-CA-91618-01
 Secrecy Order in Parent Appl.?::

Representative Information

Representative Customer Number:: 021323

Continuity Information

This application is a:: Non Prov. Of Provisional
>Application One:: 60/353,978
Filing Date:: January 31, 2002
Patent Number::

This application is also a:: Continuation in part of
>Application Two:: 10/068,133
Filing Date:: February 5, 2002
Patent Number::

which is a:: Continuation of
>>Application Three:: 09/738,614
Filing Date:: December 15, 2000
Patent Number::

Which is a:: Non Provisional of Provisional
>>Application Four:: 60/170,972
Filing Date:: December 15, 1999
Patent Number::

Prior Foreign Applications

Foreign Application One::
Filing Date::
Country::
Priority Claimed::